In those states where the rule in Shelley's Case has not been abolished by statute, the modern tendency seems to be to limit its application as much as possible. Thus, a devise to a son for life and at his death to his nearest blood relations, share and share alike, was held to create a life estate with a remainder over. *McCann* v. *McCann*, 197 Pa. 452, 47 Atl. 743, 80 Am. St. Rep. 846. And in a devise to A. for life and at her death to her children and their descendants, it was decided that "children" was a word of purchase because "their" (descendants) shows an intention to create a new line of succession. *In re Griffin's Estate*, 138 Pa. St. 327, 22 Atl. 91. So, an intention to start a new succession was construed from the use of the word "heirs" along with "issue" in an estate to "his issue lawfully begotten and their heirs and assigns forever." *Shreve* v. *Shreve*, 43 Md. 382.

A few courts have held that the intention of the testator to prevent alienation during the life of the first taker prevents the operation of the rule in Shelley's Case, even though all the requirements are present. *Westcott* v. *Meeker*, 144 Iowa 311, 122 N. W. 964, 29 L. R. A. (N. S.) 947. But this is contrary to the general accepted doctrine that the intention of the testator is only to be sought in determining whether or not he means to start a new stock of inheritance with the "heirs" or "heirs of the body." *Kemp* v. *Reinhard*, 228 Pa. 143, 77 Atl. 436, 29 L. R. A. (N. S.) 958.

TORTS—PROXIMATE CAUSE—MISCARRIAGE CAUSED BY FRIGHT.—The defendant, while talking to the plaintiff's wife on the plaintiff's premises, fired a pistol at the plaintiff's dog which was very near the plaintiff's young child. The plaintiff's wife was *enciente*, and the shot frightened her so badly that she suffered a miscarriage. The plaintiff brought an action to recover damages for the injuries suffered by his wife. *Held*, the defendant is liable. *Alabama Fuel and Coal Co.* v. *Baladoni* (Ala.), 73 South. 205. See NOTES, p. 571.